IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

WP(C).No. 27792 of 2007(H)

PETITIONER:

NASEERA K., W/O. ABOOBACKER HAJI,
HEAD NURSE, PRIMARY HEALTH CENTER, KONDOTTY,
MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS:

---

1. THE DIRECTOR OF HEALTH SERVICES,
TRIVANDRUM.

2. THE DISTRICT MEDICAL OFFICER,
MANJERI, MALAPPURAM DISTRICT.

3. THE MEDICAL OFFICER,
PRIMARY HEALTH CENTER, KONDOTTY.

BY GOVT.PLEADER SRI.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P.(C) No. 27792 of 2007

Dated this the 19th day of September, 2007

JUDGMENT

By Ext.P2 order, the petitioner, working as Head Nurse in the Primary Health Centre, Kondotty, has been transferred and posted to District Hospital, Manjeri. Ext.P2 order reads as follows:

> ***"Smt.Naseera, Head Nurse of PHC, Kondotty is transferred and posted to District Hospital, Manjeri due to reduction of strength after re-fixation and re-distribution of Nursing Staff to various institution in this department".***

2. Petitioner challenges Ext.P2. Mr.Babu S.Nair, learned counsel appearing for the petitioner contends that if transfer is on account of reduction of strength among staff nurses and consequent upon re-fixation and redistribution of Nursing Staffs to various institutions in the Department of Health Services, then one of the other staff nurses working in the Public Health Centre should have been transferred and posted at the District Hospital, Manjeri.

3.I have heard the learned Government Pleader appearing on behalf of the respondents.

4. Firstly, the order of transfer only contemplates shifting of the petitioner from Kondotty to Manjeri, both in Malappuram District. Secondly, apparently, if the services of an experienced person like the petitioner is

required at the District Hospital, Manjeri, it cannot be said that respondents are acting illegally in that regard. There are no exceptional circumstances discernible from Ext.P2 warranting an interference with Ext.P2 order of transfer. In the circumstances, the **writ petition is dismissed**.

V.GIRI, JUDGE

css/